



PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL For FY 2008		Complete if Known		
		Application Number	10/826,274-Conf. #9915	
		Filing Date	April 19, 2004	
		First Named Inventor	Dong-Hoon LEE	
		Examiner Name	J. A. McPherson	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	1795		
TOTAL AMOUNT OF PAYMENT	(\$)	400.00	Attorney Docket No.	0630-1976P

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>02-2448</u>
Deposit Account Name: <u>Birch, Stewart, Kolasch & Birch, LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description						Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						210	105
Multiple dependent claims						370	185
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
_____ - 20 = _____		x _____	= _____		Fee (\$)		Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 = _____		x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
_____ - 100 = _____	/50 = _____	(round up to a whole number) x _____	= _____				
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): 1462 Petitions to the Director not specifically ...						400.00	

SUBMITTED BY			
Signature	<u>Esther Chong</u>	Registration No. (Attorney/Agent)	40,953
Name (Print/Type)	Esther H. Chong	Telephone	(703) 205-8000
		Date	February 14, 2008



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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450	Application Number	10/826,274-Conf. #9915
	Filing Date	April 19, 2004
	First Named Inventor	Dong-Hoon LEE
	Art Unit	1795
	Examiner Name	J. A. McPherson
	Attorney Docket Number	0630-1976P

Enclosed is a petition filed under 37 CFR 1.182 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2448 :

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.36(a) – for revocation of a power of attorney by fewer than all applicants

§ 1.53(e) – to accord a filing date.

§ 1.57(a) – to accord a filing date.

§ 1.182 – for decision on a question not specifically provided for.

§ 1.183 – to suspend the rules.

§ 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 – for access to an assignment record.

§ 1.14 – for access to an application.

§ 1.47 – for filing by other than all the inventors or a person not the inventor.

§ 1.59 – for expungement of information.

§ 1.103(a) – to suspend action in an application.

§ 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 – for review of refusal to publish a statutory invention registration.

§ 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.

§ 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 – for expedited handling of a foreign filing license.

§ 5.15 – for changing the scope of a license.

§ 5.25 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.

§ 1.84 – for accepting color drawings or photographs.

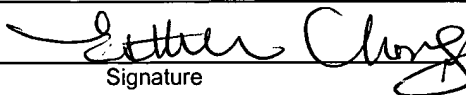
§ 1.91 – for entry of a model or exhibit.

§ 1.102(d) – to make an application special.

§ 1.138(c) – to expressly abandon an application to avoid publication.

§ 1.313 – to withdraw an application from issue.

§ 1.314 – to defer issuance of a patent.

	February 14, 2008
Signature	Date
Esther H. Chong	40,953
Typed or printed name	Registration No., if applicable



Docket No.: 0630-1976P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dong-Hoon LEE et al.

Application No.: 10/826,274

Confirmation No.: 9915

Filed: April 19, 2004

Art Unit: 1795

For: METHOD OF FABRICATING COLOR
FILTER PANEL USING BACK EXPOSURE
AND STRUCTURE OF COLOR FILTER
PANEL

Examiner: J. A. McPherson

PETITION UNDER 37 CFR § 1.182

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' respectively request the withdrawal of the recorded Terminal Disclaimer filed on May 9, 2007 relative to U.S. Patent No. 7,123,333.

MPEP § 1490(VII) notes that "If timely requested, a recorded terminal disclaimer may be withdrawn before the application in which it is filed issues as a patent, or in a reexamination proceeding, before the reexamination certificate issues. After a patent or reexamination certificate issues, it is unlikely that a recorded terminal disclaimer will be nullified. MPEP § 1490(VII)(a) notes " While the filing and recordation of an unnecessary terminal disclaimer has been characterized as an "unhappy circumstance" in *In re Jentoft*, 392 F.2d 633, 157 USPQ 363 (CCPA 1968), there is no statutory prohibition against nullifying or otherwise canceling the effect of a recorded terminal disclaimer which was erroneously filed before the patent issues. Since the terminal disclaimer would not take effect until the patent is granted, and the public has

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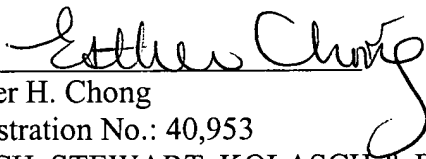
not had the opportunity to rely on the terminal disclaimer, relief from this unhappy circumstance may be available by way of petition or by refiling the application (other than by refiling it as a CPA). Under appropriate circumstances, consistent with the orderly administration of the examination process, the nullification of a recorded terminal disclaimer may be addressed by filing a petition under 37 CFR 1.182 requesting withdrawal of the recorded terminal disclaimer."

Thus, Applicants request that the terminal disclaimer filed on May 9, 2007 relative to U.S. Patent No. 7,123,333 be withdrawn.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: February 14, 2008

Respectfully submitted,

By 
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